

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, SEPTEMBER 16, 2003**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of September 16, 2003, was called to order by Mayor Hitchcock at 7:03 a.m.

Present: Council Members – Beckman, Hansen, Howard, Land, and Mayor Hitchcock

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

CITY COUNCIL CALENDAR UPDATE

City Clerk Blackston reviewed the weekly calendar (filed).

DISCUSSION

City Attorney Hays asked that he and City Manager Flynn be excused.

Discussion ensued regarding the closed session title description for Item C-2 (a) on the September 17, 2003, City Council agenda. Mayor Hitchcock questioned the adequacy of the description and whether it properly informed the public. City Attorney Hays explained that the description includes qualifying language under the Brown Act in terms of the safe harbor language; under litigation, citing the case name is adequate. He noted that it is a global case and all of the defendants sued by the City were under "M & P Investments, et al., Case No. CIV-S-00-2441 FCD JFM." Mayor Pro Tempore Howard and Council Members Beckman and Hansen concurred that it may be necessary to review historical information, gain new information, and get clarification on various aspects of the case. Making the closed session title description more specific could unnecessarily restrain discussion.

NOTE: Council Member Land left the meeting at 7:13 a.m. and returned prior to the Closed Session meeting discussion.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Howard, Beckman second, voted to excuse City Attorney Hays and City Manager Flynn for the remainder of the meeting. The motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Howard, and Mayor Hitchcock

Noes: Council Members – None

Absent: Council Members – Land

B. CLOSED SESSION

At 7:18 a.m., Mayor Hitchcock adjourned the Special City Council meeting to a Closed Session to discuss the following matter.

NOTE: All Council Members were present for the Closed Session meeting.

B-1 Review of Council Appointee – City Manager (Government Code §54957)

C. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 8:48 a.m., Mayor Hitchcock reconvened the Special City Council meeting and disclosed the following action:

In regard to Item B-1, Council requested that a follow-up meeting be scheduled at 7:00 a.m. on September 23, 2003, for the purpose of clarifying the working relationship between the City Council and City Manager. No reportable action was taken in closed session.

Continued September 16, 2003

D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

E. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:48 a.m.

ATTEST:

Susan J. Blackston
City Clerk